IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

WP(C).No. 34805 of 2007(R)

PETITIONER:

SABIR P.K., AGED 23 YEARS, S/O.KAREEM,
RESIDING AT SOUDHA GHAR (HOUSE), P.O.MAMPAD,
KANNUR.

BY ADV. SRI.E.C.BINESH

RESPONDENTS:
----

1. KANNUR UNIVERSITY, REPRESENTED BY ITS
VICE CHANCELLOR, MANGATTUPARAMBA, KANNUR.

2. VICE CHANCELLOR, KANNUR UNIVERSITY,
MANGATTUPARAMBA, KANNUR.

3. THE REGISTRAR, KANNUR UNIVERSITY,
MANGATTUPARAMBA, KANNUR.

4. THE CONTROLLER OF EXAMINATIONS,
KANNUR UNIVERSITY,
MANGATTUPARAMBA, KANNUR.

5. THE COORDINATOR OF KANNUR UNIVERSITY
COMMUNITY COLLEGE OF YOGIC SCIENCE AND
INDIGENOUS HEALTH CARE AT THOTTADA.

BY ADV. SRI.M.SASEENDRAN,SC,KANNUR UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
==========
W.P.(C) NO. 34805 OF 2007 R
==========

Dated this the 11th day of December, 2007

J U D G M E N T

Petitioner was a student of B.Com in the 1st respondent University. When the results were declared, he had failed in Paper XI Auditing. Thereupon, the petitioner applied for revaluation of his answer paper. Before the revaluation result was published, the University had scheduled supplementary examination and on the application made by the petitioner, in view of the delay in publishing the revaluation results, University permitted the petitioner to appear for the Supplementary examination also. However, the Supplementary Examination result was not declared and it is in this background this writ petition was filed praying that the University should be compelled to publish the results of his Supplementary Examination.

2. Standing counsel for the University on instruction submits that in the revaluation that was conducted, pursuant to the application made by the petitioner, petitioner has passed in the Paper XI Auditing. According to the standing counsel, in terms of the regulations of the University, if a student has passed

in an examination, he is not entitled to appear in Supplementary Examination. It is therefore that the University refused to publish the results of the Supplementary examination.

3. From the above, it is evident that what stands in the way of the petitioner is the regulations framed by the University. In terms of the regulations of the University, a student who has passed in a paper cannot appear for the Supplementary Examination. If that be the position, the petitioner having passed in the revaluation, cannot insist that the University should publish the mark in the Supplementary Examination. In view of this, petitioner is not entitled to a direction to the University to publish the Supplementary Examination results.

Writ petition fails and is dismissed.

ANTONY DOMINIC, JUDGE.

Rp